

Applic. No. 10/667,717
Amdt. dated August 3, 2006
Reply to Office action of April 3, 2006

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-14, 16, 18, and 20-24 remain in the application.

Claims 1 and 18 have been amended. Claims 15 and 17 were previously cancelled. Claim 19 is being cancelled herewith.

In the third paragraph on page 2 of the above-identified Office action, claims 1-14, 16, and 18-24 have been rejected as being obvious over Zimmer et al. (U.S. Patent No. 6,873,580 B2) (hereinafter "Zimmer") in view of Yanagawa et al. (U.S. Patent No. 6,346,695 B2) (hereinafter "Yanagawa") under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found in claim 19 and on page 6, line 26 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

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Claim 1 calls for, *inter alia*:

at least one of the supporting element and the deflection device being produced from glass and being nondetachably connected to the substrate by an anodic bond.

Claim 18 calls for, *inter alia*:

nondetachably orientating and connecting the deflection prisms to the substrate, and carrying out the connecting by anodic bonding.

Neither Zimmer nor Yanagawa discloses a nondetachable connection by anodic bonding. On page 3 of the Office action, the Examiner even raises the point that "Zimmer et al. lacks a clear teaching of whether or not at least one of said supporting element and/or said deflection device being produced from glass and being nondetachably connected to said substrate." Furthermore, Yanagawa discloses an optical system having a beam splitter (51) made of glass. Yanagawa discloses that the beam splitter (51) is a separate element, which is not nondetachably connected to a substrate.

It is noted that anodic bonding is a method of connecting two wafers with each other, preferably a silizium wafer and a

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glass wafer, without using solder or adhesive. This is accomplished by applying different voltages to the wafers thereby causing electrical attraction between the wafers. Decreasing the distance between the wafers creates chemical bonds, the chemical bonds hold the wafers together.

The Zimmer reference discloses an optical pick-up unit (10) (Figs. 1 and 2), which includes spacer blocks (34 and 36). One side of spacer block (34) is provided with a 45° turning mirror (38). Zimmer is silent as to the material that the spacer blocks (34 and 36) are made of. Zimmer is silent as to how the spacer blocks (34 and 36) are attached to the substrate (20).

Zimmer does disclose a periscope (46), which can be made of flint glass (column 3, lines 28-33). The periscope (46) is bonded to an optical element block (44), which is made of a material that is substantially transparent (column 3, lines 25-26), with a UV adhesive (column 5, lines 41-42).

The Yanagawa reference discloses an optical pickup device having a beam splitter (51). Yanagawa is silent with regard a nondetachable connection of the beam splitter (51).

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It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

As seen from the above-given remarks, the references do not show or suggest at least one of the supporting element and the deflection device being produced from glass and being nondetachably connected to the substrate by an anodic bond, as recited in claim 1 of the instant application.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

Furthermore, as noted above, Zimmer discloses the periscope (46) is bonded to an optical element block (44), which is made of a material that is substantially transparent, with a UV adhesive. Because Zimmer discloses the use of a UV adhesive for bonding components, the Zimmer reference teaches away from an anodic bond, as is recited in the claims of the instant application.

Since claim 1 is believed to be allowable, dependent claims 2-14, 16, and 18-24 are believed to be allowable as well.

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Even though claim 18 is believed to be allowable, the following further remarks pertain to claim 18.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

As seen from the above-given remarks, the references do not show or suggest nondetachably orientating and connecting the deflection prisms to the substrate, and carrying out the connecting by anodic bonding, as recited in claim 18 of the instant application.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

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In view of the foregoing, reconsideration and allowance of claims 1-14, 16, 18, and 20-24 are solicited.

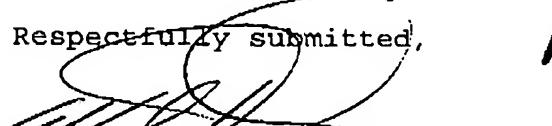
In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$120 in accordance with Section 1.17 is enclosed herewith.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,

For Applicant(s)

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August 3, 2006

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